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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

EBONY HOWARD, individually, and on
behalf of all others similarly situated,

Plaintiff,

vs.

SOUTHWEST GAS CORPORATION,

Defendant.

Case No: 2:18-cv-01035-JAD-VCF

STIPULATION AND ORDER TO:

- (1) STAY THE PROCEEDING**
- (2) EXTEND DEFENDANT'S
DEADLINE TO ANSWER
COMPLAINT;
AND**
- (3) TOLL FLSA LIMITATIONS
PERIOD**

Complaint Filed: June 7, 2018

RECITALS

On June 7, 2018, Plaintiff EBONY HOWARD ("Plaintiff") filed a putative class and collective action complaint in the United States District Court, District of Nevada (the "Complaint"). The Complaint names SOUTHWEST GAS CORPORATION ("Defendant" or

1 “SGC”) as the sole Defendant and asserts the following three causes of action: (1) Failure to Pay
2 Overtime in Violation of the Fair Labor Standards Act (“FLSA”); (2) Failure to Pay For Each
3 Hour Worked pursuant to Nev. Rev. Stat. Ann. § 608.016; and (3) Failure to Pay Overtime in
4 Violation pursuant to Nev. Rev. Stat. Ann. § 608.018 (the “Complaint”).

5 Defendant was served with summons on June 8, 2018. Pursuant to the Federal Rules of
6 Civil Procedure and Nevada Local Rules, SGC’s deadline to file a responsive pleading is June
7 29, 2018.

8 The parties have agreed, subject to the Court’s approval, to stay the proceedings for thirty
9 (30) days to allow for the exchange of information and documents bearing on the claims and
10 defenses at issue herein to avoid potentially unnecessary motion practice and further expenditure
11 of resources.

12 The parties have further agreed to and executed a separate “Tolling Agreement” which
13 tolls the statute of limitations for putative collective and class action members for thirty (30)
14 days.

15 **STIPULATION**

16 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between
17 Plaintiffs and Defendant, through their respective undersigned counsel of record, as follows:

- 18 (1) This action is stayed in its entirety until thirty (30) days from the date of this Order;
 - 19 (2) Defendant’s deadline to answer Plaintiffs’ Complaint is extended to seven (7) days
20 following the expiration of the stay; and
 - 21 (3) The limitations period for the claims under the FLSA of putative collective and class
22 action members who have not already filed consents to join the Litigation shall be
23 tolled for thirty (30) days, such that any consent form filed in this action shall be
24 deemed to have been filed on the later of (a) thirty (30) days prior to the date on
25 which it is actually filed, or (b) the date of the parties’ Tolling Agreement.
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1 IT IS SO STIPULATED.

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3 **DATED: June 22, 2018**

PLAINTIFFS' ATTORNEYS
WOLF, RIFKIN, SHAPIRO, SCHULMAN
& RABKIN, LLP

5 By: /s/ Don Springmeyer, Esq.
6 *On behalf of Plaintiffs and Plaintiffs' Attorneys*

7
8 **DATED: June 22, 2018**

DEFENDANT'S ATTORNEYS
JACKSON LEWIS P.C.

9 By: /s/ Deverie J. Christensen, Esq.
10 *On behalf of Defendant and Defendant's*
11 *Attorneys*

12 **ORDER**

13 IT IS HEREBY ORDERED, this 29th day of June, 2018:

- 14 1. This action is stayed in its entirety until thirty (30) days from the date of this Order;
- 15 2. Defendant's deadline to answer Plaintiffs' Complaint is extended to seven (7) days
- 16 following the expiration of the stay; and
- 17 3. The limitations period for the claims under the FLSA of putative collective and class
- 18 action members who have not already filed consents to join the Litigation shall be
- 19 tolled for thirty (30) days, such that any consent form filed in this action shall be
- 20 deemed to have been filed on the later of (a) thirty (30) days prior to the date on
- 21 which it is actually filed, or (b) the date of the parties' Tolling Agreement.
- 22

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24 _____
25 United States District Judge